

Montgomery County, Maryland

DIVISION OF SOLID WASTE SERVICES



Comprehensive Solid Waste Management 10 Year Plan

2009-2019



DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF SOLID WASTE SERVICES
101 MONROE STREET, 6TH FLOOR
ROCKVILLE, MARYLAND 20850
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- Appendix B. Material Flow Diagram and Recycling Calculations: Fiscal Year 2008**
- Appendix C. Landfill Site Selection Criteria**
- Appendix D. Community Agreements**
- Appendix E. Council Resolution 13-1498 “Creation of Facilities Implementation Group”**
- Appendix F. Montgomery County Executive Regulation 6-99AM Expansion of Leaf Vacuuming Collection District**
- Appendix G. Recommendations Provided by the Maryland-National Park and Planning Commission (M-NCPPC) and the Washington Suburban Sanitary Commission (WSSC)**

MONTGOMERY COUNTY, MARYLAND
COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN
for the Years 2009 through 2019

**Prepared in accordance with Title 9, Subtitle 5 of the
Environment Article of the Annotated Code of Maryland**

**Adopted by the County Council of Montgomery County,
Maryland by Resolution Number 16-894 dated March 24,
2009 and Resolution Number 16-1254 dated February 9,
2010.**

**Department of Environmental Protection
Division of Solid Waste Services**

Rockville, Maryland

Executive Summary

The Montgomery County, Maryland, Comprehensive Solid Waste Management Plan for the Years 2009 - 2019 has been prepared in accordance with Subtitle 5, Title 9 of the Environment Article, Annotated Code of Maryland. The Plan has been adopted by the Montgomery County Council Resolution 16-894 (see page xii), and approved by the Maryland Department of the Environment (see page xv).

This Ten-year Plan is updated every three years, as required by Maryland law to reflect amendments by the County Council and the continuing changes that are occurring in the County related to solid waste management. The following amendments, changes, additional appendices and other pertinent documents are included in this Plan:

Chapter 1 provides an overview of the laws, regulations, and government agencies that are a part of this Comprehensive Solid Waste Plan. Changes to this chapter include:

- Dates are updated throughout.
- Tables of applicable laws and regulations are updated. No significant changes have occurred since the last Plan update.
- Enabling laws and regulations are updated and clarified.

Chapter 2 provides an overview of population and employment trends and land use considerations that impact present and future solid waste management considerations. Changes to this chapter include:

- Dates and population/employment numbers are updated throughout.

Chapter 3 provides detailed data on waste generation and descriptions of waste collection and acceptance facilities. Changes to this chapter include:

- Dates and waste generation tonnages are updated throughout.
- Tables are repositioned to follow text references.
- The County recycling rate calculation method is clarified.
- Waste collection district and sub-district descriptions and the sub-district transfer process are conformed to recently passed Council Resolution, allowing adjustments to take place by means of Executive Regulation.
- Recycling descriptions are updated for Office Paper Systems (OPS) mixed paper operation.

Chapter 4 assesses solid waste management needs to address waste generation issues and acceptance facility constraints. Changes to this chapter include:

- Dates and generation percentages are updated throughout.
- A table, with accompanying text, is added enabling analysis, by sector, of the extent to which individual types of recyclable materials are being recycled and disposed.
- The recycling goal of 50 percent by 2010 is confirmed.
- Text is added clarifying the relationship between the recycling goal and tonnage projections under the County's solid waste management system.
- Text describing the County's electronics recycling program is added.
- Documentation concerning the options and currently known disposal of MSW and C&D at facilities other than the County Transfer Station is substantially expanded.
- A new planning direction towards exploring food waste composting is indicated.
- Text is added on the management of compact fluorescent lamps.
- A new section on green house gasses (GHG) and ozone related emissions is added.

Chapter 5 provides a Plan of Action to address solid waste generation issues and acceptance facility needs. Changes to this chapter include:

- Dates and generation data are updated throughout.
- Discussion of Transfer Station modifications to address peak flows under a current CIP project (future County Council appropriation required to perform construction) and the potential relocation of yard trim receiving, processing and shipping operations to a portion of the Gude Landfill site is updated, addressing requirements for MDE approval both for this project and its integration into a remediation and reuse plan for the Gude Landfill site.
- The County's ban on disposal of recyclables is described with respect to Executive Regulations 15-04AM and 18-04, and enforcement of those regulations is discussed.
- Contingency plans for yard waste management, to avoid exceeding the agreed limitation on annual tonnage received at the Dickerson Composting Facility, are expanded.
- Discussion of bypass in the context of facility capacity is expanded.
- The tipping fee policy is expanded and clarified.
- The summary Plan of Action table is updated and expanded.

Appendix A provides a list of term definitions. Changes to this appendix include:

- A definition for Land Clearing Debris is added.

Appendix B is updated to provide a material flow diagram and recycling calculations for a new Base Year.

Appendix C provides a copy of the County landfill site selection criteria.

Appendix D provides copies of community agreements related to solid waste facilities.

Appendix E provides a copy of Council Resolution 13-1498 “Creation of Dickerson Area Facilities Implementation Group (DAFIG)”.

Appendix F provides a copy of Montgomery County Executive Regulation 6-99AM Expansion of Leaf Vacuuming Collection District.

Appendix G provides a copy of the recommendations made by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and the Washington Suburban Sanitary Commission (WSSC).

Resolution No.:	<u>16-1254</u>
Introduced:	<u>January 12, 2010</u>
Adopted:	<u>February 9, 2010</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Comprehensive Amendment to the Comprehensive Solid Waste Management Plan

Background

1. State law (Sections 9-503 and 9-515, Environment Article, of the Annotated Code of Maryland) requires the governing body of each County to adopt and submit to the Maryland Department of the Environment a ten-year plan dealing with solid waste disposal systems, solid waste acceptance facilities, and the systematic collection and disposal of solid waste.
2. The Environment Article further requires each County to review its solid waste management plan at least every three years.
3. On March 24, 2009, the County Council adopted the Comprehensive Solid Waste Management Plan for the years 2007 through 2016 for Montgomery County, Maryland by Resolution 16-894.
4. By letters dated July 24, 2009 and November 17, 2009, to the Montgomery County Division of Solid Waste Services, the Maryland Department of the Environment specified changes that it required in order for the Plan to be approved by the State.
5. On December 15, 2009, the County Executive transmitted to the County Council a revised Plan containing only those changes required by the Maryland Department of the Environment.
6. A public hearing was held on January 26, 2010.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Comprehensive Solid Waste Management Plan for the Years 2009 through 2019 is modified as listed below and is approved as attached.

A. Zoning Ordinance Issue, MDE Letters, July 24 comment 1 and November 17		
<i>Location</i>	<i>Original</i>	<i>Proposed</i>
Page 2-11 Section 2.3.1	Chapter 59 of the County Code defines zoning requirements and establishes zones designating agricultural, residential, commercial, industrial, or a mixture of uses at specified densities.	Chapter 59 of the County Code defines zoning requirements and establishes zones designating agricultural, residential, commercial, industrial, or a mixture of uses at specified densities. ² (footnote) ² This plan shall not be used to create or enforce local land use and zoning requirements.
Page 4-53 Section 4.3.2	The County Zoning Ordinance includes standards for solid waste facilities.	The County Zoning Ordinance includes standards for solid waste facilities. ⁶ (footnote) ⁶ This plan shall not be used to create or enforce local land use and zoning requirements.
B. The Planning Period issue, MDE Letters, July 24 comment 2		
<i>Location</i>	<i>Original</i>	<i>Proposed</i>
Chapters 1, 2, 3, 4, 5, and Appendix B	(The data were listed for years 2007 to 2016)	(All tables updated and include the years 2009 to 2019)
C. Electronic Recycling issue, MDE Letters, July 24 comment 2		
<i>Location</i>	<i>Original</i>	<i>Proposed</i>
Page 4-16 Section 4.1.2.4	4.1.2.4 Drop-Off Programs (Second paragraph deleted) Electronics Recycling: The DSWS also recycles computers, televisions and other consumer electronics. The computer recycling program started in 2000, and this was expanded to include other consumer electronics in October, 2007. In April, 2008, this program was again expanded to	

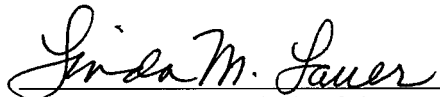
	<p>include electronics cell phones, PDAs, digital cameras, CD players and anything with a cord. Currently this program recycles about 90 tons of computers and 60 tons of televisions and other electronics per month. DEP is currently conducting a short-term program involving specially advertised and arranged collection events at satellite sites using Park & Ride lots and schools. This started in June 2008 and will continue until after June 2009 when the switch from analog to digital television signals occurs. Currently, E-Structors, located in Elkridge MD, receives material collected via the County's electronics recycling programs. The contract with E-Structors requires them to recycle all material except residue (non-electronic material).</p>	
<p>Page 4-17 Section 4.1.2.5</p>		<p>(added section) 4.1.2.5 Electronic Recycling Program Current Conditions and Constraints:</p> <p>DSWS' electronics recycling program is consistent with the provisions of the Statewide Electronics Recycling Program Act ("Act"), which took effect on October 1, 2007. The program provides for the recycling of computers, which includes desktop personal computers, laptop computers and computer monitors, and is consistent with the Act. Additionally, and again consistent with Act, the program also provides for the recycling of covered electronic devices, which means a computer or video display device with a screen that is greater than 4 inches measured diagonally. Other electronics items are acceptable for recycling under the program.</p> <p>The computer recycling program started in 2000, and this was expanded to include televisions in October, 2007. In April, 2008, this program was again expanded to include cell phones, PDAs, digital cameras, and CD players, to list some of the items. Currently, this program recycles about 55 tons of computers and 100 tons of televisions and other electronics per month. County</p>

		<p>residents and businesses may drop-off unwanted electronics at a dedicated drop-off site, which has an enclosure and a canopy, seven-days-a-week on the county's Transfer Station's campus. Additionally, DSWS began a satellite event electronics recycling program in June 2008, using Park & Ride lots and schools as event sites for residents and businesses who are at a distance from the Transfer Station. These satellite events will continue for the foreseeable future and have occurred approximately on a monthly basis. Currently, E-Structors, located in Elkridge MD, receives material collected via the County's electronics recycling programs. The contract with E-Structors requires them to recycle all material except residue (non-electronic material).</p> <p>Needs Assessment and Plan Direction: The County will continue to provide drop-off services for certain recyclable materials. The County may modify the drop-off services as needed to reflect changes in the collection program or market conditions.</p>
Page 4-17 4.1.2.5	4.1.2.5	4.1.2.6
Page 5-35 Section 5.2.1.8	<p>5.2.1.8 Recycling and Waste Reduction Programs g. Waste Stream Detoxification (removed last four paragraph)</p> <p>In addition to the HHW and Ecowise programs, the County has a drop-off program for computers (CPUs), monitors and related electronic items at the Transfer Station, and it recently expanded this program to include TV sets, computer monitors, cell phones, and virtually any electronic device with a cord. Material is accepted from County residents and businesses. Some computer components in working order are salvaged for reuse; hazardous and toxic materials in unusable components are recovered for proper disposal.</p> <p>In addition to accepting these electronics at the Transfer Station, DEP has just recently</p>	

	<p>begun to routinely conduct several electronic collection events per year at various, more convenient, locations around the County. In the future, DSWS will continue to explore the most effective means of attracting electronics for recycling.</p> <p>For CFLs the County will continue to work to expand the number and locations of retailers who accept CFLs for recycling.</p> <p>DEP shall conduct an on-going assessment of existing waste detoxification procedures and identify additional feasible programs, and costs of such programs, to expand the detoxification of the waste stream in a manner that minimizes environmental and legal liability risks.</p>	
<p>Page 5-39 Section 5.2.1.9</p>		<p>(added section) 5.2.1.9 Electronic Recycling</p> <p>DSWS' electronics recycling program is consistent with the provisions of the Statewide Electronics Recycling Program Act ("Act"), which took effect on October 1, 2007. The program provides for the recycling of computers, which includes desktop personal computers, laptop computers and computer monitors, and is consistent with the Act. Additionally, and again consistent with Act, the program also provides for the recycling of covered electronic devices, which means a computer or video display device with a screen that is greater than 4 inches measured diagonally. Other electronics items are acceptable for recycling under the program.</p> <p>In addition to the HHW and Ecowise programs as described in previous section, the County has a drop-off program for computers (CPUs), monitors and related electronic items at the Transfer Station, and it recently expanded this program to include TV sets, computer monitors, cell phones, and virtually any electronic device with a cord. Material is accepted from County residents and businesses. Some computer</p>

		<p>components in working order are salvaged for reuse; hazardous and toxic materials in unusable components are recovered for proper disposal.</p> <p>DEP has also just recently begun to routinely conduct several electronic collection events per year at various, more convenient, locations around the County. For CFLs the County will continue to work to expand the number and locations of retailers who accept CFLs for recycling.</p> <p>Plan of Action: In the future, DED will continue to explore the most effective means of attracting electronics for recycling. DEP will also continue to monitor the needs and opportunities including the need for more electronics recycling and evaluate whether there is a need to continue satellite electronics recycling events at their current frequency.</p>
Page 5-40 5.2.1.10	5.2.1.9	5.2.1.10
Page 5-42 5.2.1.11	5.2.1.10	5.2.1.11
Page 5-43 5.2.1.12	5.2.1.11	5.2.1.12
Page 5-43 5.2.1.13	5.2.1.12	5.2.1.13

This is a correct copy of Council action.


 Linda M. Lauer, Clerk of the Council

Resolution No.: 16-894
Introduced: January 27, 2009
Adopted: March 24, 2009

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Comprehensive Amendment to the Comprehensive Solid Waste Management Plan

Background

1. State law (Sections 9-503 and 9-515, Environment Article, of the Maryland Code) requires the governing body of each County to adopt and submit to the Maryland Department of the Environment a ten-year plan dealing with solid waste disposal systems, solid waste acceptance facilities, and the systematic collection and disposal of solid waste.
2. The Environment Article further requires each County to review its solid waste management plan at least every three years.
3. The County Council adopted the Comprehensive Solid Waste Management Plan for the years 2004 through 2015 for Montgomery County, Maryland by Resolution 15-1218 on November 15, 2005.
4. On January 16, 2009, the County Executive transmitted to the County Council a revised and updated comprehensive amendment to the Comprehensive Solid Waste Management Plan which sets forth the goals, policies, and plans for the management of solid waste in the County from 2007 through 2016.
5. A public hearing on the revised proposed comprehensive plan amendment was held on February 24, 2009.
6. The Transportation, Infrastructure, Energy and Environment Committee discussed the proposed comprehensive plan amendment on March 9, 2009.
7. The County Council discussed the proposed comprehensive plan amendment on March 17, 2009.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

1. The Comprehensive Solid Waste Management Plan for the Years 2007 through 2016 is approved as attached.
2. The Director of the Department of Environmental Protection must report to the Council on the following solid waste issues by the reporting deadlines listed below.

Item	Deadline for Submission to Council
Update on the status of the County's television recycling program	Quarterly Updates beginning no later than July 31, 2009
Update on the County's efforts to increase Land Clearing and Construction and Demolition Debris (C&D) recycling rates both by the County and in the private sector	February 1, 2010
Update on the findings of the 2009 Waste Composition Study and DEP's short and long-term strategies to maximize the County's recycling rate	February 1, 2010
Recommendations regarding the potential imposition of a plastic shopping bag ban or tax	February 1, 2010
Update on DEP's efforts to seek additional composting capacity and the potential expansion of the composting program to include food waste	February 1, 2011

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

Shari T. Wilson
Secretary

RECEIVED
DEPT OF ENVIRONMENTAL PROTECTION

Robert M. Summers, Ph.D.
Deputy Secretary

August 17, 2010

AUG 20 2010

The Honorable Isiah Leggett
County Executive, Montgomery County
101 Monroe Street, 2nd Floor
Rockville MD 20850

DIVISION OF SOLID WASTE SERVICES

Dear County Executive Leggett:

The Maryland Department of the Environment (the "Department") has completed review of the Montgomery County Solid Waste Management Plan (2009-2019), (the "Plan"), which was adopted by the Montgomery County Council on February 9, 2010.

Based on this review, the Department has determined that the Plan satisfies the Department's guidelines and complies with the defined requirements of the Code of Maryland Regulations (COMAR) 26.03.03. In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Plan is approved.

Please be advised that §9-503(a) of the Environment Article, Annotated Code of Maryland, requires each County to have a County plan or a plan with adjoining counties that covers at least the next 10-year period following adoption by the County governing body. Per §9-515(b) of the Environment Article, Annotated Code of Maryland, Montgomery County must prepare the county Plan as well as a separate statement of objectives and policies covering factors such as planning, zoning, and population estimates at least **once every three years**. The law further requires the County Executive to prepare preliminary and final drafts of the plans as specified in §9-515(c) and submit to the Council for its approval. As the Montgomery County Council adopted the Plan on February 9, 2010 the new plan will be due to the Department on or before **February 9, 2013**. The Department recommends that the County submit a draft Plan six months prior to the due date so the Department can review and provide comments before the County adopts its next 10-year period Plan. The County must also comply with the public hearing requirements of § 9-503(d) of the referenced Article prior to the adoption of any revision or amendment.

Please note that §9-506(b)(2) of the Environment Article, Annotated Code of Maryland, requires the County to submit a report of its review conducted at least every two years including any revision or amendment of the County plan that has been adopted. Therefore, the County must submit to the Department the progress reports required by §9-506(b) on or before **February 9, 2012**.

In addition, §9-503(c) of the Environment Article, Annotated Code of Maryland, provides that each County must adopt and submit to the Department a revision or amendment to its County plan if the County considers a revision or amendment necessary or if the Department requires a revision or amendment. The Department will notify the County if a revision or amendment is required. However, if the County considers a revision or amendment is necessary, we recommend that the County submit a draft plan to the Department so that we can review and provide comments before the County adopts a revision or amendment to its approved and adopted plan. The County must comply with the public hearing requirements of §9-503(d) of the referenced Article prior to the adoption of any revision or amendment.

During the 2009 legislative session, the Maryland General Assembly passed House Bill 1290, *Environment-Recycling-Public School Plans*. The law became effective on July 1, 2009 (amending § 9-1703 of Environment Article, Annotated Code of Maryland). The law adds a requirement that must be addressed in a recycling plan in accordance with the provisions of § 9-505 of the Environment Article, Annotated Code of Maryland. Under § 9-1703(b)(10) of the Environment Article, Annotated Code of Maryland, the counties and Baltimore City are required to address the strategy for the collection, processing, marketing, and disposition of recyclable materials from public schools. In addition, § 9-1703(g) of the Environment Article, Annotated Code of Maryland requires a county to revise its recycling plan by **October 1, 2010**, to address the requirements of § 9-1703(b)(10). The Solid Waste Management Plan's Public School Plan should:

1. Provide a detailed description of the public school recycling program being developed, including what materials are to be recycled, how the materials will be collected, and how the materials will be marketed.
2. Define the roles and responsibilities of the stakeholders involved in the program.
3. Identify the public schools included in the program. The Office of the Attorney General has determined that all County public grade schools, colleges, and trade schools that receive county funding are covered by the law. Schools that are operated and funded primarily by the State and that are generally recognized as "state schools" are not subject to § 9-1703(b)(10) of the Environment Article, Annotated Code of Maryland even if receiving some funding from county sources.
4. Provide a roll out schedule for the development and implementation of the program.
5. Identify a system for monitoring the program to identify areas for improvement and to ensure continuous school participation in the program. Include contingency plans for contractor issues and steps to be taken if schools are not participating in the program.

Additionally, during the 2010 legislative session, the Maryland General Assembly passed House Bill 685, *Environment - Fluorescent and Compact Fluorescent Light Recycling – County Plans*. The law became effective on July 1, 2010 (amending § 9-1703 of Environment Article, Annotated Code of Maryland). The law adds a requirement that must be addressed in a recycling plan in accordance with the provisions of § 9-505 of the Environment Article, Annotated Code of

Maryland. Under § 9-1703(b)(11) of the Environment Article, Annotated Code of Maryland, the counties and Baltimore City are required to address the strategy for the collection and recycling of fluorescent and compact fluorescent lights that contain Mercury. In addition, § 9-1703(g) of the Environment Article, Annotated Code of Maryland requires a county to revise its recycling plan by October 1, 2011, to address the requirements of subsection § 9-1703(b)(11) of this section.

Thank you for your continuing interest and cooperation in providing sound and long-term solid waste management planning for the County. If you have questions or need additional clarifications on the matter discussed, please contact Ms. Hilary Miller, Program Manager, Technical Services and Operations Program at 410-537-3431 or you may contact me at 410-537-3304.

Sincerely,



Horacio Tablada, Director
Land Management Administration

HT:TM:tm

cc: Daniel Locke, Chief, Montgomery County Division of Solid Waste Services: Administration
Hilary Miller, Manager, Technical Services and Operations Program